

HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WSOU INVESTMENTS, LLC, d/b/a BRAZOS
LICENSING AND DEVELOPMENT,

Plaintiff,

v.

F5 NETWORKS, INC.,

Defendant.

No. 2:20-cv-01878-BJR

**STIPULATION REGARDING
FORTHCOMING ACTIONS AND TO
FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER
PLAINTIFF'S COMPLAINT**

Plaintiff WSOU Investments, LLC d/b/a Brazos Licensing and Development ("WSOU") and Defendant F5 Networks, Inc. ("F5 Networks") (collectively, "Parties") by and through their respective counsel of record, respectfully submit this Stipulation regarding forthcoming actions and to further extend the time for F5 Networks to answer WSOU's Complaint for Patent Infringement.

The Parties hereby stipulate through their respective counsel as follows:

WHEREAS, on November 6, 2020, WSOU filed a Complaint for Patent Infringement against F5 Networks in the above-captioned action (Dkt. 1) ("Action");

WHEREAS, prior to filing this Action, on September 15, 2020, WSOU filed other Complaints for Patent Infringement against F5 Networks in the United States District Court for

STIPULATION RE FORTHCOMING ACTIONS
AND TO FURTHER EXTEND THE TIME FOR
DEFENDANT TO ANSWER PLAINTIFF'S COMPLAINT- 1
(CASE NO. 2:20-CV-01878-BJR)

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1 the Eastern District of Virginia: (1) *WSOU Investments, LLC d/b/a Brazos Licensing and*
 2 *Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00719-JAG (“E.D. Va. Action
 3 1”), Dkt. 1; (2) *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant*
 4 *F5 Networks, Inc.*, Case No. 3:20-cv-00720-JAG (“E.D. Va. Action 2”), Dkt. 1; (3) *WSOU*
 5 *Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case
 6 No. 3:20-cv-00721-JAG (“E.D. Va. Action 3”), Dkt. 1; and (4) *WSOU Investments, LLC d/b/a*
 7 *Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00724-
 8 JAG (“E.D. Va. Action 4”), Dkt. 1) (collectively, “E.D. Va. Actions”);

9 WHEREAS, on November 6, 2020, F5 Networks waived the service of summons in this
 10 Action (Dkt. 6) and the E.D. Va. Actions (E.D. Va. Action 1, Dkt. 7; E.D. Va. Action 2, Dkt. 7,
 11 E.D. Va. Action 3, Dkt. 8; E.D. Va. Action 4, Dkt. 7);

12 WHEREAS, on December 30, 2020, the Parties filed a Stipulated Motion to Transfer this
 13 Action to the United States District Court for the Western District of Washington (Dkt. 15);

14 WHEREAS, on December 30, 2020, United States District Judge Leonie Brinkema
 15 ordered this Action to be transferred to the United States District Court for the Western District
 16 of Washington (Dkt. 24);

17 WHEREAS, on December 30, 2020, this Action was transferred to the United States
 18 District Court for the Western District of Washington (Dkt. 25);

19 WHEREAS, on January 6, 2021, the Clerk of the United States District Court for the
 20 Western District of Washington issued a letter acknowledging receipt of this Action from the
 21 United States District Court for the Eastern District of Virginia, and advising of the Action’s
 22 assignment to United States District Judge Barbara Rothstein;

23 WHEREAS, F5 Networks’s answer to WSOU’s Complaint in this Action was originally
 24 due January 5, 2021;

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 STIPULATION REGARDING FORTHCOMING ACTIONS
 AND TO FURTHER EXTEND THE TIME FOR
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1 WHEREAS, on January 12, 2021, the Parties filed a Stipulation to Extend the Time for
2 F5 Networks to Answer WSOU's Complaint in this Action from January 5, 2021 to January 28,
3 2021 (Dkt. 44), which was granted on January 13, 2021 (Dkt. 45);

4 WHEREAS, F5 Networks has not yet answered WSOU's Complaints in the E.D. Va.
5 Actions;

6 WHEREAS F5 Networks's deadline to answer WSOU's Complaints in the E.D. Va.
7 Actions was previously extended from January 5, 2021 February 5, 2021 (E.D. Va. Action 1,
8 Dkts. 28 & 29; E.D. Va. Action 2, Dkts. 28 & 29; E.D. Va. Action 3, Dkts. 29 & 30; E.D. Va.
9 Action 4, Dkts. 28 & 29);

10 WHEREAS, WSOU intends to voluntarily dismiss without prejudice the E.D. Va.
11 Actions pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), and re-file the E.D. Va.
12 Actions in the United States District Court for the Western District of Washington;

13 WHEREAS, the Parties agree that WSOU's voluntary dismissals without prejudice shall
14 have no effect whatsoever on WSOU's right to dismiss any of the E.D. Va. Actions without
15 prejudice in the future, including WSOU's right to dismiss any of them without prejudice in the
16 United States District Court for the Western District of Washington;

17 WHEREAS, in light of the E.D. Va. Actions to be re-filed in United States District Court
18 for the Western District of Washington, the Parties agree to further extend the time for F5
19 Networks's answer to WSOU's Complaint in this Action to February 28, 2021; and

20 WHEREAS, the Parties agree that F5 Networks shall answer WSOU's Complaints in the
21 forthcoming actions to be re-filed from the United States District Court for the Eastern District of
22 Virginia by February 28, 2021.

23 IT IS HEREBY STIPULATED AND AGREED, by among the Parties and their
24 respective counsel of record, with the permission of the Court, that (1) WSOU's voluntary
25 dismissals of the E.D. Va. Actions without prejudice shall have no effect whatsoever on

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1 WSOU's right to dismiss any of the E.D. Va. Actions without prejudice in the future, including
2 WSOU's right to dismiss any of them without prejudice in the United States District Court for
3 the Western District of Washington, (2) F5 Networks's deadline to answer WSOU's Complaint
4 in this Action is February 28, 2021, and (3) F5 Networks's deadline to answer WSOU's
5 Complaints in the forthcoming actions to be re-filed from the United States District Court for the
6 Eastern District of Virginia is February 28, 2021.

7 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.
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STIPULATION REGARDING FORTHCOMING ACTIONS
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(CASE NO. 2:20-CV-01878-BJR)

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Dated: January 27, 2021

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STIPULATION REGARDING FORTHCOMING ACTIONS
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[PROPOSED] ORDER

Based on the foregoing, IT IS SO ORDERED that:

(1) WSOU Investments, LLC d/b/a Brazos Licensing and Development's ("WSOU") voluntary dismissals of *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00719-JAG, *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00720-JAG, *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00721-JAG, and *WSOU Investments, LLC d/b/a Brazos Licensing and Development v. Defendant F5 Networks, Inc.*, Case No. 3:20-cv-00724-JAG (collectively, "E.D. Va. Actions") without prejudice shall have no effect whatsoever on WSOU's right to dismiss any of the E.D. Va. Actions without prejudice in the future, including WSOU's right to dismiss any of them without prejudice in the United States District Court for the Western District of Washington;

(2) Defendant F5 Networks, Inc.'s ("F5 Networks") time to answer WSOU's Complaint in this Action is extended to February 28, 2021; and

(3) F5 Networks's deadline to answer WSOU's Complaints in the forthcoming actions to be re-filed from the United States District Court for the Eastern District of Virginia is February 28, 2021.

DATED: _____

HON. BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE

STIPULATION RE FORTHCOMING ACTIONS
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CERTIFICATE OF SERVICE

I hereby certify that on January 27, 2021, I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/ Christy A. Nelson
Christy A. Nelson

STIPULATION REGARDING FORTHCOMING ACTIONS
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